The Pittsburgh Gazette.

1205

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PITTSBURGH: PRINTED BY JOHN SCULL, IN FRONT STREET, NEXT DOOR TO THE CORNER OF MARKET-STREET.

TOWN OF PUTTNEY,

LAID off on the lands of Robert Troup, Esq. of the city of New York, by Daniel M'Elheran, his attorney in fact, in Jefferson county, in the North Western Territory of the United States. This Town is situated in the Wegee Bottom, on the Ohio river, about eight miles below Wheling, and thirty miles below Steubenville, the present seat of justice of that county. From its situation and local advantages, there is little room to doubt that it will be made the seat of justice of a county, to be formed of part of Jefferson and part of Washington counties, after the next division, which will be in one or two years. The Town extends three quarters of a mile in front upon the river—it is situated on a high bank, has a convenient harbour, and lies in an excellent farming country. The tract upon which the Town is laid off, contains about 1300 acres, a considerable part of which is bottom, and the remainder very fertile and well timbered. This tract is laid off in Out-Lots of five acres each, in squares of a convenient size, between which there are streets left for the use of holders of Lots. Each square in the Town contains 16 Lots, and are numbered from 1 to 16.

The Lots and Out Lots of this Town will be sold on the Premises on the 22d day of August next, at Wheling on the 23d, at Charlestown on the 24th, at Washington on the 26th, and at Pittsburgh on the 2d of September—One half of the purchase money will be credited 30 days, the residue for one year.

There are two excellent streams of water in the township—M'Mahon's creek and the Wegee creek, one about three quarters of a mile below, and the other about two miles above the Town of Puttney, on which there are good mill seats. A good road will be opened from the Town to intersect the road leading from Wheling to Chillicothe. There are 50 Town Lots reserved as a donation to the first 50 settlers. The Houses to be not less than 18 feet square, with a shingled roof.

ROBERT TROUP, by
DANIEL M'ELHERAN, his
July 2, 1799. Attorney.

N B A Plan of the Town and Out Lots may be seen at Mr. GOODEN'S, Wheling, and at Mr. MORROW'S, Pittsburgh.

The subscriber has also for Sale, 3000 acres of Land laying in the township in which the Town of Puttney stands, which he will dispose of on reasonable terms in small farms to accommodate purchasers.—Also, 7300 acres of Land in several tracts, north west of the river Ohio, which he will sell on moderate terms—also, 19,108 acres of Land, in two tracts, in Fayette county and state of Kentucky. For further particulars apply to the subscriber at Thomas Edgerton's, lower end of Holloday's Cove, when not there, at Wheling.

DANIEL M'ELHERAN.

At an adjourned Court of Common Pleas held at Pittsburgh, for the county of Allegheny, the second day of July, in the year of our Lord one thousand seven hundred and ninety nine, before John M'Dowell and John Gibson, Esquires, Judges of the same Court.

ON the petition of Robert Taylor, a prisoner in the jail of the said county, praying to be discharged according to the provisions of the act of assembly made for the relief of insolvent debtors. The Court order, that the said prisoner be brought before them at Pittsburgh, on the first Monday of September next, that his petition and his creditors may be then heard, and direct, that notice of his application be published in the Pittsburgh Gazette three weeks, the last of which shall be at least fifteen days before the time of hearing.

By the Court,
JAMES BRISON, Proth'y.

At an adjourned Court of Common Pleas, held at Pittsburgh for the county of Allegheny, the second day of July, in the year of our Lord one thousand seven hundred and ninety nine, before John M'Dowell and John Gibson, Esquires, Judges of the same Court.

ON the petition of William Neelly, a prisoner in the jail of said county, praying to be discharged according to the provisions of the acts of assembly made for the relief of insolvent debtors. The Court order, that the said prisoner be brought before them at Pittsburgh on the first Monday of September next, that his petitioners and his creditors may be then heard, and direct, that notice of his application be published in the Pittsburgh and Greensburgh newspapers, three weeks in each, the last of which shall be at least fifteen days before the time of hearing.

By the Court,
JAMES BRISON, Proth'y.

William Woods & Co.

Have just received

Seven Tons Barr Iron,

which they will sell low by the Ton or smaller quantity.

They have, as usual, for sale, a general assortment of *MERCHANDIZE*, well adapted to the present season.

Pittsburgh, July 8, 1799.

TAKEN up trespassing on the premises of the subscriber, living in Mifflin township, Allegheny county, a Sorrel Roan HORSE, has a white mouth and face, glass eye, three white feet, shod before, about 9 or 10 years old. The owner is desired to come, prove property, and take him away.

July 3, 1799. ABEL BENTLEY.

At a Court of Common Pleas held at Greensburgh, for the county of Westmoreland, the twelfth day of June, one thousand seven hundred and ninety nine. Present, Alexander Addison, Esquire, President, and his Associates, Judges of the same Court.

ON the petition of John M'Millen, an insolvent debtor, to the Court of Common Pleas for said county, praying for the benefit of the laws made for the relief of such persons, and subjoining a list of his creditors and effects on oath, the Court appoint the second Monday in September, for hearing the petitioner and his creditors, and direct that notice of this application and order be published in the Gazette printed in the borough of York, and in the Pittsburgh Gazette for three successive weeks, the last of which to be at least two weeks before the day of hearing.

By order of Court,
For Thomas Hamilton, Proth'y
ROBERT SHIELDS.

Treasury Department,

MARCH 11, 1799.

Public Notice is hereby given,

Pursuant to the Act of Congress passed on the 1st day of June, one thousand seven hundred and ninety six, entitled "An Act regulating "the grants of land appropriated for military "services, and for the society of United Bre-"thren for propagating the gospel among "the Heathen;" and the Act supplementary to the said recited Act passed on the second day of March, one thousand seven hundred and ninety-nine—to wit,

I.

THAT the tract of Land hereinafter described namely, 'beginning at the north west corner of the seven ranges of townships, and running thence fifty miles due south, along the western boundary of the said ranges;—thence due west to the main branch of the Scioto river; thence up the main branch of the said river to the place where the Indian boundary line crosses the same—thence along the said boundary line to the Tuscaroras branch of the Muskingum river at the crossing place above Fort Lawrence—thence *down* the said river to the point where a line run due west from the place of beginning, will intersect the said river; then along the line so run to the place of beginning;' has been divided into townships of five miles square, and fractional parts of townships; and that plats and surveys of the said townships and fractional parts of townships are deposited in the offices of the Register of the Treasury and Surveyor General, for the inspection of all persons concerned.

II.

The holders of such warrants as have been or shall be granted for military services performed during the late war, are required to present the same to the Register of the Treasury, at some time prior to the twelfth day of February, in the year one thousand eight hundred, for the purpose of being registered; No registry will however be made of any less quantity than a quarter township, or four thousand acres.

III.

The priority of location of the warrants which may be presented and registered in manner aforesaid, prior to the twelfth day of February in the year one thousand eight hundred, will immediately after the said day, be determined by lot, in the mode prescribed by the act first recited.

IV.

The holders of registered warrants, shall on Monday the 17th day of February, in the year 1800, in the order in which the priority of location shall be determined by lot as aforesaid, personally or by their agents, designate in writing at the office of the Register of the Treasury, the particular quarter townships elected by them respectively, and such of the said holders as shall not designate their locations on the said day, shall be postponed in locating such warrants to all other holders of registered warrants.

V.

The holders of warrants for military services sufficient to cover one or more quarter townships or tracts of four thousand acres each; shall at any time after Monday the 17th day of February 1800, and prior to the first day of January 1802, be allowed to register the said warrants in manner aforesaid, and forthwith to make locations therefor on any tract or tracts of land not before located.

VI.

All warrants or claims for lands on account of military services, which shall not be registered and located before the first day of January 1802, are by the supplementary act of Congress herein before recited, passed on the second day of March, 1799, declared to be forever barred.

Given under my hand at Philadelphia, the day and year above mentioned.

OLIVER WOLCOTT,
Secretary of the Treasury.

John M'Leod,

ROPE-MAKER,

INFORMS the public, that he has erected a Rope-walk on the bank of the Monongahela, near Henderson's Ferry, where Ropes of all kinds may be had for Cash, or approved of Country Produce. Pittsburgh, July 6. 1799.

Just arrived and for Sale, a quantity of Excellent

FINE SALT,

at JAMES O'HARA'S.

Pittsburgh, May 10, 1799.

Donation Lands.

NOTICE is hereby given that claims for DONATION LANDS granted by the State of Pennsylvania to the Officers and Soldiers of the line belonging to the said State in the late war, will be received at the Office of the Comptroller General of said State until the 1st of September next, inclusive, and that the subscribers, authorized by law, will sit as a Board at said Office on every Monday, from ten o'clock in the forenoon until one in the afternoon, to hear and determine all unsatisfied claims already filed, as well as those which may be filed on or before the said first day of September next.

JOHN DONNALDSON, Comptroller.
SAMUEL BRYAN, Register.
PETER BAYNTON, Treasurer.

Department of Accounts of Pennsylvania, May 15, 1799. } tf.

THE subscriber proposes for Private Sale, at any time before the September Court, the Messuage and Smith Shop, which he now occupies, to which is attached a full lot of ground. The situation is so public (being on the square) and so generally known by the subscriber's long residence on it, that a particular description of it is deemed unnecessary, but it may be proper to mention that the house is of Brick, and two stories high, and that the Smith Shop is also two stories high, and a very complete one. The subscriber being about to move up the river, will sell on moderate terms, both as to price and payments. An indisputable title will be given, and the time of possession will be made to suit the purchaser.

GEORGE M'GUNNEGLE.

Pittsburgh, June 20, 1799.

The Beautiful

Bull CYRUS,

STANDS at NEIMAN'S, one mile above Pittsburgh, on the Allegheny river, and will be let single, at One Dollar the Season.—Good pasture may be had at half a dollar a week, for each Cow. No guarantee for straying or accidents. July 6, 1799.

At a meeting at the Court House in the Borough of Lancaster, on Wednesday the 19th ult. the following Address was unanimously agreed to, and signed by the gentlemen present.

To the Freemen of Lancaster County.

Friends and fellow Citizens,

IMPRESSED with a firm belief that a happy choice of a Governor, at the next general election, for the commonwealth of Pennsylvania, will be of the utmost national importance, we have assembled for the purpose of deliberating freely upon the subject, and now have the pleasure to submit the result of those deliberations to you.

On so interesting an occasion, the system we have adopted, is not only proper, but indispensible. We should not slumber while our enemies are awake. There will always be many thousands of voters in a state so extensive as ours, who may not know or understand the true characters of the candidates who are offered to them. Without due information, therfore on so essential a point, being in some manner conveyed to them, the most upright men might be induced to throw away their votes upon their worst enemy; upon the *tool* of a *faction*; or upon an arbitrary demagogue.

We have therefore, for ourselves, unanimously and firmly resolved to vote for, and to use every fair exertion in our power, at the next general election, to support *James Ross* of Pittsburg, as a proper person to fill the important office of Governor; and we confidently recommend him to you, as a man of the first talents, and of unexceptionable character; sober, moral and religious; in the full vigour of life; his understanding unimpaired by disgraceful habits of vice and intemperance; his judgment correct and cultured with assiduous care; a steady friend to his country, and to the constitutions of the United States and of this commonwealth. He is personally known to many of us; and those of us to whom he is individually unknown, have a confidence in his character, satisfactory from the sources from which it is derived.

It may not be inexpedient to accompany this recommendation with a few general observations which we deem pertinent to the occasion.

Every reflecting man who views, and can understand the situation of the U. States, and the nature of the compact they have formed, must be convinced that their honor, their independence and national glory can remain no longer than their union shall continue inviolate and unimpaired: and that a separation of the States must eventually involve the ruin of all them. A system so important to our happiness ought to be watched with the most jealous care, and anxiously supported by every honest and virtuous man. He cannot be a friend to your government, (but on the other hand he must be its worst enemy) who would endeavor to weaken its energy, or undermine its influence. To create in your minds a distrust of the men you may have chosen to administer your government; to alarm you, and cause your hear to rankle with a mean jealousy of its powers; insidiously to make you discontented with the laws, till it break out into direct opposition and attempts to impede their execution are the base arts by which corrupt and designing men assail the constitutions they wish to destroy, and no surer means can be to overturn the liberties of the people result is inevitable! treason and seditio be put down, or the government itself m The arm of authority must become str the whole fabric will be shaken! The l be cursed with all the evils of anarchy people sick of licentiousness, will be wi submit to any kind of government. To bled, and too corrupt to defend their liberties, the authority over them will be by those who may have misled them: wealthy and powerful individual may monarchy on their prostrate necks! history tells us, has been the fate of man republics of the old world; and, if we preserve our virtue and integrity, such the fate of ours!

Countrymen, we are blessed at present of the best constitutions in the world, a calculated to protect us from danger from if we can defend it from the assaults of mies within. It is a sacred duty which to transmit it unimpaired to posterity! Y is a party among us, who falsely call the Republicans, who are opposed to the wi ministration of the Federal Government, der the pretence of supporting the const are assailing it with all the arts that ma invent. They are the friends of Franc than their own country: and under the ir of French principles, they are struling to the people from their government. Th opposed every salutary measure of put fence: and by slanderous falsehoods the vilified every system that has been devised a revenue to protect us from foreign opp or to secure our trade. To be convi these truths it is necessary only to revi transactions of a few years past. To d order to destroy us is obviously the d France; and the more she can weaken neral government, the more easy will conquest; and it is therefore a primary with her partizans, by any and every m elect, into the offices of the state gover men who are decidedly opposed to the administration. By disorganizing the pa whole must eventually fall. France has conquered more by her principles than sword! It is a dreadful warfare!—It her new philosophy that she first corru hearts and then triumphs over a weaker degenerate people. Under the pretence throwing priestcraft, she has put down God, has shaken the foundation of all r and let loose a mighty flood of immorali the world! It is thus the wars upon n Behold the fate of Switzerland once the seat of liberty the native soil of many ancestors; how she languishes under Fre pression! Behold Italy and Holland commerce annihilated, their property se their French friends, and new governme ced upon them and changed at the ple their new masters. No longer free repu but tributary provinces of France!

None of us, fellow citizens, would behold the United states thus humbled. then exert ourselves before it be too lat us banish from among us the insidious ples of France, and consider her friend those who justify her conquests and her sions, not only as the enemies of the pe happiness of our beloved country, but enemies of the human race! Let us supp own government, and it will be able to us; if we are meanly jealous of it, it m and we must perish with it. We cannot a nation, unless we support it, not only w purses, but with our veneration and conf Let not our enemies gain an advantage by their industry, while we are inactive at but let us exert ourselves to the utmost vent any man from being elected into offi is either a friend to the French measures, is opposed, at this interesting perio, to t and administration of his own country. consider it as criminal to remain at home day of election, and it will then be sho the friends of good order and governm still the strongest, in Pennsylvania.

Friends and Fellow Citizens,

A more important period than the pre not occurred in the history of the Unite It may be said with propriety that thi time to try the hearts of men. It is by duct in the day of trouble, by his exerti vigilance to oppose machinations of the a faction, who are basely plotting agai dearest interests of their country, that th ot may be known. It is not by inacti repose that we can protect the independ preserve the peace, happiness and prosp our infant nation! We therefore call up as freemen who value liberty, to aid your hearts and hands on this momento sion. You know us, and must know have no motives but the good of our c We are determined to struggle to pres religion, our laws, and our liberty to and with the blessings of God, we hum our exertions will be successful.

We are your friends and Fellow Cit

EDWARD HAND, Chairman.

Signed also by a number of the citizens, caster, and of the townships of Cocalic wick, Earl, Strasburgh, Radno, Done cock, Hempfield, Lampeter, Colerai Britain, Manor, Martick, Salisbury, L Conestogo, Carnarvon, Manheim, L Bart, Mountjoy, Elizabeth, and Sadsbur

CHARLES SMITH, Sec. of the m

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American Intelligence.

BALTIMORE, July 9.

Extract of a letter from a gentleman in St. Thomas's, dated June 25, to a gentleman in this city.

"There is no news here of a late date, but there is a report of the French and Spanish fleets sailing of 27 sail of the line of battle ships bound for Ireland and of their having chased Admiral Bridport with 9 sail, I hope the latter may fall in with them with only 20 sail; I think they will give a good account of them. Sir Sidney Smith has gone to Algiers on a secret expedition. The affairs of the continent wear a different aspect to what they did some time ago. The Austrians have beaten the French in all directions; on the one side they have forced them to repass the Rhine, and on the side of Italy have driven them back to Rome; the Swiss have risen and expelled them from the Cantons, and in short, to give you a striking idea of their distresses, the Directory have declared the Republic in danger."

NEW YORK, July 10.

Extract of a letter from St. Thomas's dated June 24, to a mercantile house in this city.

"I have a letter from Dr Stevens of the 30th from Cape Francois, who mentions in positive terms, that all matters were arranged with Gen. Touffaint: that he had an interview with Gen. Maitland, who was gone to Jamaica, and expected shortly to meet him again at Port-au-Prince. Every thing was settled betwixt them, so as to secure to the Americans an uninterrupted commerce with the colony. Rigaud however, was opposed to the measure; it is not unlikely that he may occasion a defeat of the whole. Certain it is, that serious disputes exist between the two commanders, and there is no saying what may be the result."

Letters from Cadiz of the 9th April and St. Sebastero of the 26th April and 13th May, to a respectable mercantile house in Philadelphia, mention that the Spanish government had prohibited all commercial intercourse between their territories in South America and any of the European nations, even though trading from a Spanish port.

A gentleman just arrived in town, informs us, that on Friday last the United States ship Constellation, of 24 guns, Capt. M. Tryon, was upon in the harbour of Middletown (Conn.) in an attempt to careen her. It was expected she would be raised by this day, without any material injury.

COOPERSTOWN, (N. Y.) June 26.

The day before yesterday, and the evening of the same day, presented to the inhabitants of Cooperstown and its vicinity, a spectacle surpassing every thing of the kind, which has been witnessed in this country since it has been peopled by civilized beings—Towards evening, clouds gathered and produced unusual darkness, so as to render lighted candles necessary an hour before sunset; from the rain poured from the clouds with unusual torrents accompanied by heavy winds, and the lightning emitted an almost constant blaze, accompained by its attendant companion, thunder: in the evening the flashes were almost incessant, and the rain which fell during the night, raised the waters of Lake Otsego, the surface of which covers 20,000 acres, from two to three feet—a circumstance which has never occurred within the knowledge of the oldest inhabitant of this country, in the same time.

The damage done by the lightning is considerable. The house of Mr. Wallis, of Cherry Valley, has been struck and injured and another in the middle field, several cattle killed, persons injured, but none killed as we have heard—vast damage has been done by the destruction of the crops, bridges, mills, mill dams, and tan works. A grist mill in Burlington was carried down the stream by the rapidity of the torrent, with such force and effect, that, the first discoverable remains of the mill were the mill stones the nearest of which were found 50 rods below the site of the mill.

PHILADELPHIA, July 12.

Extract of a letter from Gibraltar, May 15.

"Since the British fleet left this, two large American ships from the West have been carried into Algesiras by the French cruizers, who, with the Spanish gun boats, seem to have blockaded the port.

"The Disorder still continues in the Empire of Morocco."

A letter dated at Gibraltar, May 22, '99 from the American Consul there, informs—That on the 13th, a British Squadron of five sail of the line and two frigates, in 13 days from Plymouth, under the command of admiral Witchell, called at Gibraltar for intelligence, and proceeded immediately to the Eastward in quest of Earl St. Vincents fleet, which was spoke with on the 15th May by the British frigate Cormorant, between Cape de Gate and Carthagena.

On the 25th a report was in circulation at Gibraltar, that six of the French ships of the line had been dismasted.

Letter from the Consul of the United States, at Gibraltar, of which the following is a copy, was received yesterday morning at the office of the Secretary of State.

Gibraltar, 7th May, 1799.

SIR,

THE bearer of my last being still detained, I have now to inform you that on the 4th inst. arrived his Britannic Majesty's sloop of war Childers, in six days from the channel fleet, with accounts of the French fleet, consisting of 15 sail of the line, having slipt out of Brest in a fog, unperceived. Said sloop met an English frigate, from whom he learnt that she had been chased by four sail of an enemy's fleet of 19 sail of the line, supposed to be the above one, joined by seven Spanish ships from Ferrol: they were seen in the latitude of Oporto. This the Earl St. Vincent communicated to me, that I might apprize the commanders of American vessels bound to the westward, of their danger. Amiral Lord Keith, with the British fleet of 14 sail of the line, was at anchor off Cadiz: on receipt of the above intelligence they got under way, and went for Cape St. Vincent. A French admiral and several officers arrived at Cadiz some days ago, to take the command of some of the Spanish ships; from which it is conjectured a junction of those fleets was in agitation. When the Childers left the channel fleet it was proceeding for the coast of Ireland.

On the evening of the 5th inst. the French fleet passed the Gut, going to the eastward, with a fresh southerly wind, and very hazy: 24 sail were counted, of which 19 of the line. Next morning Earl St. Vincent sent to inform me that the Americans bound to the westward should be ready to proceed the moment the wind came about, as the French fleet went past yesterday. Open boats, &c. are sent to endeavour to get out of the Gut with dispatches to apprize Lord Keith of the French fleet having passed this, and to follow them.

I have the honor to be,
Sir,
Your most obedient, and
Most humble servant.
JOHN GAVINO.
15th May.

On the 10th inst. Lord Keith, with his fleet, arrived here from off Cadiz, when Earl St. Vincent embarked, and they sailed next day with 16 sail of the line, of which six are three deckers, for the east. It seems that Spain has given up to France 15 sail of the line at Cadiz; and by the report of several boats, 19 sail of the line from thence, with some frigates, passed this port to the east two nights ago. Several cutters in quest of the Brest fleet, and dispatches, &c. have arrived from England. Admiral Gardner is expected off Cadiz with 15 sail of the line, which no doubt will go up the Mediterranean when they find the French and Spaniards are gone there.

The recent panic with which the public mind was agitated by the occurrence of a few sudden deaths in the lower districts of the city, has, we are happy to observe, entirely subsided, with the disappearance of its cause. From the most respectable authority, we are assured, that the city, at present, enjoy a more general degree of health than is usual at this season of the year—and that, under the blessing of Providence, and the vigilence and attention of our citizens, we have the pleasing prospect of enjoying, during this summer, an uninterrupted flow of health and prosperity.

The spirit of exaggeration which has gone forth on the last occasion is an exemplification of what may be effected by the prevalence of groundless alarm. In all the surrounding towns and villages the most frightful reports are circulated and believed with avidity, of the destructive progress of the yellow fever in this *unfortunate* city. The daily number of deaths is ascertained at every tavern with arithmetical precision, and the final ruin of business predicted with every symptoms of unspeakable delight. In New York, these rumours have crept into the public papers. The Commercial Gazette among other lyes, mentions that one of our banks had actually removed!—Notwithstanding these alarming rumours, we have the satisfaction to observe them circulate without producing on our business, any visible effect.

Two Dollars Reward.

STRAYED from the commons of Pittsburgh, on the 9th instant, a dark bay HORSE, with a switch tail, trimmed at the end, blind of the left eye, about 5 years old, a natural trotter, his mane lays on the off side, has been newly trimmed under the bridle, and has two tufts of hair immediately under his nostrils, and is about 13 hands and an half high. Whoever takes up said Horse and delivers him to the subscriber, or gives information so that the owner may get him again shall receive the above reward, and all reasonable charges.

ANTHONY DREVO.

Pittsburgh, July 24, 1799.

NOTICE.

ABOUT eight months ago, I made a Caption Court for a certain Patrick M'Gowan, who has not as yet called for it. I take this method of informing him, that unless he comes forward in one month from this date, and pays the expence, I will make sale of it for that purpose.

JOHN FORSBROOK.

Pittsburgh, July 19, 1799.

May 3d, 1799.

SIR,

Please to publish in your paper the enclosed copy of an act entitled, "An act to extend the period heretofore allowed for applying for Donation Lands, &c." and continue once a week for three months from the date hereof.

We are, Sir, yours,
DANIEL BRODHEAD, S. G. } Of the
JOHN HALL, Secretary, } Land
FRANCIS JOHNSTON, R. G. } Office.

To Mr. SCULL, *Pittsburgh.*

An Act to extend the period heretofore allowed for applying for Donation Lands, and to regulate the mode for authenticating claims thereto.

Sect. 1. BE *it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time allowed for applying for Donation Lands, shall be, and the same is hereby extended to the first day of September next, and that all lawful claims now filed and suspended, or which shall be filed previously to the said first day of September next, shall be considered and allowed in the manner herein after directed,

Sec. 2. *And be it further enacted by the authority aforesaid,* That before any such claims shall be allowed, the same shall be presented to the Comptroller General, Register General, and Treasurer of this Commonwealth, who shall enquire into the lawfulness thereof, and whether the same remains unsatisfied; and thereupon transmit to the Secretary of the Land Office a certificate stating that the claim ought to be allowed or rejected, as the case may be, which certificate shall be conclusive.

Sec. 3. *And be it further enacted by the authority aforesaid,* That the Officers of the Land Office shall advertise in the public papers of Philadelphia, Harrisburgh and Pittsburgh, the time limited as aforesaid for presenting claims for Donation Lands, and shall proceed after the first day of September next, to draw lots in favor of all such claimants as shall have duly received as aforesaid, a certificate of allowance from the Comptroller General, Register General and Treasurer, upon the principles, in the manner, and with the powers specified in the act entitled "An Act relative to Donation Lands, &c. passed on the seventeenth of April, anno domini, one thousand seven hundred and ninety five.

Sec. 4. *And be it further enacted by the authority aforesaid,* That on the first day in May, in the year one thousand eight hundred, the powers herein given shall cease, no lots for Donation Lands shall afterwards be drawn, and the residue of the land heretofore by law appropriated for satisfying claims to Donation Lands, shall revert to the Commonwealth; and be disposed of in such manner as shall be directed by law, in relation to other lands the property of the state.

CADWALADER EVANS, Junr.
Speaker of the House of Representatives.
ROBERT HARE,
Speaker of the Senate.
Approved, April 11, 1799.
THOMAS MIFFLIN.
Governor of the Commonwealth of Pennsylvania.

Sheriff's Sales.

BY virtue of two writs of venditioni exponas, issued out of the Supreme Court, to me directed, one at the suit of Alexander Henry and James Boggs, the other at the suit of John C. Freecke, against John Nicholson, will be exposed to Public Sale at the Court House in the Borough of Pittsburgh, on Wednesday the 21st day of August next, at 10 o'clock in the forenoon, the following described Tracts of Land, to wit:

Five Hundred and Forty Tracts of Donation Lands situate, lying and being in the different Donation Districts, in the county of Allegheny, held by said John Nicholson in right of sundry soldiers and officers whose names are set forth in a certain deed indented from said Nicholson and wife to Theophile Cazenove and others, bearing date the 27th March, 1797, recorded in the office for recording of deeds in Book F, page 271, &c. containing in the whole 100,000 acres, or thereabouts, be the same more or less, subject to the claim of Theophile Cazenove and others to an undivided forty thousand acres thereof, and to levy made by two other writs of fieri facias one at the suit of said Henry and Boggs, the other at Samuel Watt,

Thirty thousand acres, or thereabouts, be the same more or less, situated on the waters of French creek and Little Conneat, north and west of the rivers Ohio and Allegheny and Conewango creek, held by seventy four warrants under act of assembly of 3d April, 1792, dated 4th April, 1792.

Five Tracts of Depreciation Land in Nicholson's Depreciation District, numbered 134, 135 and 138.

One Hundred and Twenty Tracts situate in District No. 6 (Nicholson's) west of the rivers Ohio and Allegheny, newango creek, surveyed on warrants of assembly of 3d April, 1792, containing each 400 acres, or thereabouts, be the same more or less. Seized and taken in execution and to be sold by me.

EPHRAIM JONES, Sheriff.

July 9, 1799.

And by virtue of writs of venditioni exponas issued out of the Court of Common Pleas of Allegheny County, and to me directed, will be exposed to sale at the same time and place,

A Tract of Land containing 200 acres, be the same more or less, situate in Mifflin township, adjoining lands of William Cochran, Wm. M'Gill, William Stealy, and Joseph Pain.—Taken in execution as the property of Robert Craighead, at the suit of Hugh Davidson.

A Tract of Land, containing 108 acres, be the same more or less, situate in Mifflin township, adjoining lands of Benjamin Reed, William M'Kee, Nathaniel Patterson and Thomas Finney. Taken in execution as the property of Neil M'Coy, at the suit of James Sample and Matthew Hartford.

Also, Lots K and L, being portions of Lots No. 132 and 133, in the Borough of Pittsburgh, containing each 60 feet in front upon Liberty street, and extending back 110 feet to Brewery alley, which alley is unknown in the general plan of said Borough, but laid off for the accommodation of the inhabitants. Also, Lots N, O, P, Q, R and T, being portions of Lots No. 10, 11, 12, 13, 14, 15 and 16, containing each 60 feet front on Penn street, and extending back to Butler street, which was also laid off for the convenience of the inhabitants, as per plan of the Point Lots, recorded in the office for Recording of Deeds of Allegheny county, may be seen—also, one Lot in the general plan of the Borough of Pittsburgh aforesaid, No. 371.—Taken in execution as the property of Turnbull, Marmie & Co. at the suit of Elliot, Williams & Co. and to be sold by me,

EPHRAIM JONES, Sheriff.

July 10, 1799.

BLANKS,

Summonses, Warrants, Executions, &c. for Sale at this Office.

NOTICE.

WHEREAS William Larwill, of the Borough of Pittsburgh did, on the 20th day of November last, make an assignment of his property unto Gazzam, Taylor and Jones, merchants, of Philadelphia, unto whom he is largely indebted. This is therefore to forwarn all persons against paying any debts due to the said Larwill to any other person than the subscriber residing in Pittsburgh, who is duly authorized to receive the same.

WILLIAM GAZZAM.

Pittsburgh, December 22, 1798.

William Larwill,

RETURNS his sincere thanks to his friends for the generous assistance afforded him since he was put in confinement—his stores having been broke open by night, and his property violently taken away by a certain William Gazzam, who advertises he is authorised to receive debts due me, but it is unfortunate for the said Gazzam, he can produce no account against one person. Larwill, who is disposed to pay his just debts, has a right to receive, as will be seen in the following note that has been obligingly sent him.

Pittsburgh, February 14, 1799.

Pittsburgh, February 9, 1799.

SIR.

HAVING been of your council from the first, and acquainted with every transaction relative to what William Gazzam in his advertisement in the Pittsburgh Gazette, calls an *assignment* of your property, we are of opinion that it was not an assignment, but an *agreement* to assign and changed no property, until actual delivery, and even as to what was delivered the property reverted and became vested in you, as the agreement was waved by Gazzam on recurring to his suit, in consideration of withdrawing which the agreement was made; and that now you have a right to retain, or regain, as the case may be, and to recover your debts as if no such agreement had ever taken place.

H H BRACKENRIDGE.
JAMES MONTGOMERY.
SAM S. MAHON.

Zachariah A. Tannehill,

HAS for Sale, a large assortment of the most fashionable *JEWELRY*, which he will sell low. He also carries on the CLOCK and WATCH MAKING GOLD and SILVER SMITHS Business, as usual, in Water street. Every attention will be paid to those who may honor him with their commands.

Pittsburgh, July 27, 1799.

Eight Dollars Reward.

LOST, by a horse running away, near to a place on the Monongahela, known by the name of M'Culough's place, and within about a mile of Doctor M'Dowell's a Saddle and Saddle Bags—to the fiddle was tied a blue surtout coat, in which was an umbrella—the Saddle Bags contained two books, marked with the owner's name, and cloaths marked with his initials. Whoever may find and will return the same shall receive the above reward.

Pittsburgh, July 26, 1799.

At a Court of Common Pleas held at Pittsburgh for the County of Allegheny, the first Monday of June in the year of our Lord one thousand seven hundred and ninety nine, before the Hon. Alexander Addison, Esquire, and his Associates, Judges of the same Court.

ON the petition of John Arthurs, a prisoner in the jail of said county, praying to be discharged according to the provisions of the acts of assembly made for the relief of insolvent debtors. The Court order, that the said prisoner be brought before them at Pittsburgh, on the first Monday of September next, that his petition and his creditors may be then heard—and direct, that notice of his application be published in the Pittsburgh Gazette three weeks, the last of which shall be at least fifteen days before the time of hearing.

By the Court,
JAMES BRISON, Proth'y.

BY YESTERDAY'S MAIL.

NEW YORK, July 18.

By the brig Dublin Packet, capt. Green, in 47 days from Dublin, we have Irish papers to the thirteenth of May. By these it appears that the Imperial forces in Italy continue to advance; but that the respective armies on the banks of the Rhine, up to the beginning of May, were in a state of perfect inactivity. Suwarrow, the Russian general, is master of Milan, and Serrurier, with a numerous army, a great quantity of ordnance and military stores, have fallen into the hands of the conqueror.

Nothing certain had been received in England at the date of our last accounts respecting the destination of the Brest fleet, or of its junction with the Spanish. All the paragraphs on this subject are vague conjecture.

Of Ireland we learn nothing by the papers before us, except that a part of the kingdom was still under martial law; that a state of general tranquility was looked upon as a very distant object; and that military executions for desertion, conspiracy, and other crimes, were the order of the day.

PHILADELPHIA, July 19.

PLEASING.

We are happy in being able to inform our readers, that present appearances justify an opinion that our city will enjoy an healthy summer and autumn. The number of persons sick of the fever which lately appeared in Penn street is reduced to four or five in the whole city.—More people were sick of a similar fever in 1794, 1795 and 1796, and yet, business during those years was brisk and profitable.

We have reason to believe there have not been more sickness and deaths in our city within the last four weeks in proportion, to our numbers, than there have been in several other cities of the Union.

(my knowledge, juſt and true, or are, in my opinion, juſt and true, and deſerving full faith and credit.)

In teſtimony whereof, I have hereunto ſubſcribed my name, and affixed the ſeal of my office, at this day of

M. M. Conſul.

And the form of a verification of the delivery of merchandize, to be executed by American or foreign merchants, as the caſe may require, ſhall be as follows:

Form of the verification by merchants.

We residing in the city of do declare, that the facts ſtated in the preceding certificate, ſigned by of the ſaid (city) merchant, on the day of are (to our knowledge juſt and true, or are in our opinion juſt and true, and worthy of full faith and credit.) We alſo declare that there is (no conſul or other public agent for the United States of America, or American merchants, as the caſe may require) now reſiding at this place.

Dated at the city of this day of

R. S.

T. L.

Conſuls' fees thereon.

And it ſhall be lawful for the conſuls or agents of the United States, reſiding at the foreign ports, to demand twenty-five cents for adminiſtering each oath or affirmation aforeſaid, and one dollar for granting each certificate as aforeſaid; and if any conſul or agent ſhall demand other or greater fees than are allowed as aforeſaid, his bond ſhall be forfeited.

Penalty on relanding goods entered for drawback, &c.

Sec. 82. *And be it further enacted*, That if any goods, wares or merchandize entered for exportation, with intent to drawback the duties, or to obtain any allowance given by law on the exportation thereof, ſhall be landed within any port or place within the limits of the United States as aforeſaid, all ſuch goods, wares or merchandize ſhall be ſubject to ſeizure and forfeiture, together with the ſhip or veſſel from which ſuch goods, wares or merchandize ſhall be landed, and the veſſels or boats uſed in landing the ſame; and all perſons concerned therein, ſhall on indictment and conviction thereof, ſuffer impriſonment for a term not exceeding ſix months; and for diſcovery of frauds and ſeizure of goods, wares or merchandize relanded contrary to law, the ſeveral officers eſtabliſhed by this act, ſhall have the ſame powers, and in caſe of ſeizure, the ſame proceedings ſhall be had, as in the caſe of goods, wares and merchandize imported contrary to law.

Powers of the officers of the cuſtoms in relation to drawbacks

Bounty on the exportation of pickled fiſh and ſalted proviſions.

Sec. 83. *And be it further enacted*, That on all pickled fiſh, of the fiſheries of the United States, exported therefrom, there be allowed and paid a bounty of thirty cents per barrel: and on all proviſions ſalted within the United States (dried fiſh excepted) there be allowed and paid a bounty of twenty-five cents per barrel, to be paid by the collector of the diſtrict from which the ſame ſhall be ſo exported, without any deduction or abatement. *Provided always*, That in order to entitle the exporter

or exporters of ſuch pickled fiſh or ſalted proviſions to the bene-
fit of ſuch bounty or allowance, the ſaid exporter or exporters
ſhall make entry with the collector and naval officer of the diſ-
trict from whence the ſaid pickled fiſh or ſalted proviſions are
interded to be exported, and ſhall ſpecify in ſuch entry the
names of the maſter and veſſel in which, and the place where
ſuch proviſions or fiſh are intended to be exported, together
with the particular quantity of each, whether pickled fiſh or
ſalted proviſions, and the ſpecies thereof; and proof ſhall be
made to the ſatisfaction of the collector of the diſtrict from
which ſuch articles are intended to be exported, and of the
naval officer thereof, where any, that the ſame, if fiſh, are of
the fiſheries of the United States; if ſalted proviſions, that
they were ſalted within the United States; and no entry ſhall
be received as aforeſaid, of any pickled fiſh or ſalted proviſions
which have not been inſpected and marked, purſuant to the
inſpection laws of the reſpective ſtates. where inſpection laws
are in force in regard to any pickled fiſh or ſalted proviſions;
and the caſks containing ſuch fiſh or proviſions, ſhall be branded
with the words, " for bounty," with the name of the inſpector
or packer, the ſpecies and quality of the fiſh contained therein,
and the name of the port of exportation; and the collector of
ſuch diſtrict ſhall, together with the naval officer where there
is one, grant an order or permit for an inſpector to examine
the pickled fiſh or ſalted proviſions, or both, as expreſſed in
ſuch entry, and if they correſpond therewith, and the ſaid
officer is fully ſatisfied that they are, if fiſh, of the fiſheries of
the United States, or if proviſions, ſalted therein, to lade the
ſame agreeably to ſuch entry, on board the ſhip or veſſel there-
in expreſſed; which lading ſhall be performed under the ſuper-
intendance of the officer examining the ſame, who ſhall make
returns of the quantity and quality of pickled fiſh or ſalted pro-
viſions ſo laden on board, in virtue of ſuch order or permit, to
the officer or officers granting the ſame. And the ſaid expor-
er or exporters, when the lading is completed, and after returns
thereof have been made as above directed, ſhall make oath or
affirmation, that the pickled fiſh or ſalted proviſions expreſſed in
ſuch entry, and then actually laden on board the ſhip or veſſel
as therein expreſſed, are truly and *bonæ fide*. if pickled fiſh, of
the fiſheries of the United States, if ſalted proviſions, ſalted
therein; that they are truly intended to be exported as there-
in ſpecified, and are not intended to be relanded within the li-
mits of the United States; and ſhall alſo give bond in double
the amount of the duty, bounty or allowance to be received,
with one or more ſureties, to the ſatisfaction of the collector
of the port or place from which the ſaid pickled fiſh or ſalted
proviſions are intended to be exported, conditioned that the
ſame ſhall be landed and left at ſome foreign port or place with-
out the limits aforeſaid; which bonds ſhall be cancelled at the
ſame periods and in like manner as is provided in reſpect to
bonds given on the exportation of goods, wares or merchan-
dize entitled to drawback of duties: *Provided always*, That the

Exporter to make entry.

Proof to be made.

The fiſh and proviſions to be inſpected and branded.

Inſpector to examine them.

Permit to lade.

Exporter to make oath.

and give bond.

Mode of cancelling the bonds.

ſaid bounty or allowance ſhall not be paid until at leaſt ſix months after the exportation of ſuch pickled fiſh or ſalted proviſions, to be computed from the date of the bond, and until the exporter or exporters thereof ſhall produce to the collectors with whom ſuch outward entry is made, ſuch certificates, or other ſatisfactory proof of the landing of the ſame as aforeſaid, as is heretofore made neceſſary for cancelling the bonds given on the exportation of goods entitled to drawback as aforeſaid: *And provided alſo*, That the bounty or allowance as aforeſaid, ſhall not be paid unleſs the ſame ſhall amount to ten dollars at leaſt upon each entry. *When the bounty ſhall be paid.*

And the form of entry required to be made as aforeſaid, ſhall be as follows:

Entry of (ſalted proviſion or pickled fiſh, or both, as the caſe may be) intended to be exported for the benefit of bounty, by (inſert the name of the exporter) in the (inſert the name and denomination of the veſſel) whereof inſert the name of the maſter) is maſter, bound for, (inſert the port of deſtination.) *Form of entry of fiſh and proviſions for bounty.*

Marks as branded on the caſks.	
Number of barrels.	
Deſcription or ſpecies of fiſh or proviſions.	
Quality.	

And the oath or affirmation to be taken by the exporter or exporters of pickled fiſh or ſalted proviſions, ſhall be in manner following:

Diſtrict of

I (inſert the name) do ſolemnly, ſincerely and truly ſwear (or affirm) to the beſt of my knowledge and belief, that the (ſalted proviſions or pickled fiſh, or both, as the caſe may be) deſignated in the annexed entry, dated and ſubſcribed with my name, have not been imported from any foreign port or place, but are truly and *bona fide* (if proviſions) ſalted proviſions, cured within the limits of the United States (or if fiſh) pickled fiſh of the fiſheries of the United States; that they are now actually laden on board the (inſert the denomination and name of the veſſel) whereof (inſert the name) is maſter, and are to be exported to (inſert the place of deſtination) and are not intended to be landed in the limits of the United States. *Form of the oath.*

So help me God.

And the form of the bond to be executed as aforeſaid ſhall be as follows, to wit:

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Form of the bond.

Know all men by theſe preſents, that we are held and firmly bound unto the United States of America, in the ſum of to be paid to the ſaid United States; for the payment whereof we bind ourſelves, our heirs, executors and adminiſtrators, jointly and ſeverally, firmly by theſe preſents; ſealed with our ſeals, dated the day of in the year of the independence of the United States, and in the year of our Lord

The condition of this obligation is ſuch, that whereas the above bounden hath entered at the cuſtom houſe of the port of the following merchandize (here inſert the number of packages, with their contents, together with their marks and numbers) for the purpoſe of being exported for the benefit of bounty, in the (inſert the denomination and name of veſſel) whereof (inſert name) is maſter, for (inſert the name of the place) as per entry thereof made and ſubſcribed by the aforeſaid on the day of which merchandize has been laden under the ſuperintendance of A. B. an inſpector of the cuſtoms for the port of as per return thereof, annexed to ſaid entry; which merchandize is now actually on board the ſaid now lying in the port of for the purpoſe of being exported as aforeſaid.

Now therefore, if the ſaid merchandize ſhall not be relanded within the limits of the United States, but ſhall be duly exported to the or any other port or place without the limits aforeſaid, then this obligation to be void and of no effect, otherwiſe it ſhall remain and be in full force and virtue.

Sealed and delivered in the preſence of }

Forfeiture on making a falſe entry for exportation, for benefit of drawback or bounty.

Sec. 84. *And be it further enacted*, That if any goods, wares or merchandize of which entry ſhall have been made in the office of a collector, for the benefit of a drawback or bounty upon exportation, ſhall be entered by a falſe denomination, or erroneouſly as to the time when, and the veſſel in which they were imported, or ſhall be found to diſagree with the packages, quantities or qualities, as they were at the time of original importation, except ſuch a diſagreement as may have been occaſioned by neceſſary or unavoidable waſtage or damage only, and except alſo in caſes where permiſſion ſhall have been obtained according to law, to alter or change the quantities or packages thereof, all ſuch goods, wares or merchandize, or the value thereof, to be recovered of the owner or perſon making ſuch entry, ſhall be forfeited: *Provided*, That the ſaid forfeiture ſhall not be incurred, if it ſhall be made appear to the ſatisfaction of the collector and naval officer of the diſtrict, if there be a naval officer, and if there be no naval officer, to the ſatisfaction of the ſaid collector, or of the court in which a proſecution for the forfeiture ſhall be had, that ſuch falſe denomination, error or diſagreement, happened by miſtake or accident, and not from any intention to defraud the revenue.

Sec. 85. *And be it further enacted*, That in all cases where veſſels &c. a ſhip or veſſel ſhall be prevented by ice from getting to the *cannot by* port or place at which her cargo is intended to be delivered, it *ice, may* ſhall be lawful for the collector of the diſtrict in which ſuch ſhip *unload at* or veſſel may be obſtructed, to receive the report and entry of *other places than* ſuch ſhip or veſſel, and with the conſent of the naval officer *ports of* (where there is one) to grant a permit or permits for unlading *delivery.* or landing the goods, wares and merchandize imported in ſuch ſhip or veſſel, at any place within his diſtrict which ſhall appear to him moſt convenient and proper: *Provided always*, That the report and entry of ſuch ſhip or veſſel, and her cargo, or any part thereof, and all perſons concerned therein, ſhall be under and ſubject to the ſame rules, regulations, reſtrictions, penalties and proviſions, as if the ſaid ſhip or veſſel had arrived at the port of her deſtination, and had there proceeded to the delivery of her cargo.

Sec. 86. *And be it further enacted*, That no officer of the cuſtoms, or other perſon employed under the authority of the *Officers of* United States, in the collection of the duties impoſed by law *the cuſtoms* on goods, wares or merchandize imported in the United States, *not to be* and on the tonnage of ſhips or veſſels, ſhall own, either in *concerned* whole or in part, any ſhip or veſſel, or act as agent, attorney, *in ſhipping* or conſignee for the owner or owners of any ſhip or veſſel, or *or commerce.* of any cargo or lading on board the ſame; nor ſhall any officers of the cuſtoms, or other perſon employed in the collection of the duties as aforeſaid, import, or be concerned directly or indirectly, in the importation of any goods, wares or merchandize, for ſale, into the United States, on penalty that every perſon ſo offending, and being thereof convicted, ſhall forfeit and pay the ſum of five hundred dollars.

Sec. 87. *And be it further enacted*, That ſo much of the *They may* twelfth ſection of an act, entitled "An act making alterations *buy or* in the treaſury and war departments," as reſtricts all officers of *diſpoſe of* the United States, employed in the collection of the duties im- *public* poſed by law on goods, wares and merchandize imported into *funds.* the United States, and on the tonnage of ſhips or veſſels, from buying or diſpoſing of the funds or debts of the United States, or of any ſtate, be repealed.

Sec. 88. *And be it further enacted*, That if any officer of *Penalty on* the cuſtoms ſhall directly or indirectly take or receive any bribe, *their re-* reward or recompenſe, for conniving, or ſhall connive at any *ceiving a* falſe entry of any ſhip or veſſel, or of any goods, wares or mer- *bribe to* chandize, and ſhall be convicted thereof, every ſuch officer or *connive at* other perſon ſhall forfeit and pay a ſum not leſs than two hun- *a falſe en-* dred, nor more than two thouſand dollars for each offence; and *try, or con-* any perſon giving or offering any bribe, recompence or reward *niving at* for any ſuch deception, colluſion, or fraud, ſhall forfeit and pay *ſuch entry.* a ſum not leſs than two hundred dollars, nor more than two *Penalty on* thouſand dollars, for each offence; and in all caſes where an *giving or* oath or affirmation is by this act required from a maſter or *offering* *ſuch a* *bribe.*

False swearing to be punished as perjury.

other person having the command of a ship or vessel, or from an owner or consignee of any goods, wares and merchandize, his, her, or their factor or agent, and generally, whenever an oath or affirmation is required from any person or persons whatsoever, by virtue of this act, if the person so swearing or affirming, shall swear or affirm falsely, such person shall, on indictment and conviction thereof, be liable to the same pains and penalties prescribed for persons convicted of wilful and corrupt perjury.

Penalties how to be sued for.

Sec. 89. *And be it further enacted*, That all penalties, accruing by any breach of this act, shall be sued for, and recovered with costs of suit, in the name of the United States of America, in any court competent to try the same; and the trial of any fact, which may be put in issue, shall be within the judicial district in which any such penalty shall have accrued; and the collector, within whose district the seizure shall be made, or forfeiture incurred, is hereby enjoined to cause suits for the same to be commenced without delay, and prosecuted to effect: and is moreover authorized to receive from the court within which such trial is had, or from the proper officer thereof, the sum or sums so recovered, after deducting all proper charges to be allowed by the said court, and on receipt thereof the said collector shall pay and distribute the same without delay, according to law, and transmit quarter yearly to the treasury an account of all monies by him received for fines, penalties and forfeitures, during such quarter. And all ships or vessels, goods, wares or merchandize, which shall become forfeited in virtue of this act, shall be seized, libelled, and prosecuted, as aforesaid, in the proper court having cognizance thereof; which court shall cause fourteen days notice to be given of such seizure and libel, by causing the substance of such libel, with the order of the court thereon, setting forth the time and place appointed for trial, to be inserted in some newspaper published near the place of seizure, and also by posting up the same in the most public manner, for the space of fourteen days, at or near the place of trial; for which advertisement a sum not exceeding ten dollars, shall be paid; and proclamation shall be made in such manner as the court shall direct; and if no person shall appear and claim any such ship or vessel, goods, wares or merchandize, and give bond to defend the prosecution thereof, and to respond the cost in case he shall not support his claim, the court shall proceed to hear and determine the cause according to law; and upon the prayer of any claimant to the court, that any ship or vessel, goods, wares or merchandize, so seized and prosecuted, or any part thereof, should be delivered to such claimant, it shall be lawful for the court to appoint three proper persons to appraise such ship or vessel, goods, wares or merchandize, who shall be sworn in open court for the faithful discharge of their duty; and such appraisement shall be made at the expense of the party on whose prayer it is granted; and on the return of such appraisement, if the claimant shall, with one or more sureties, to be approved

Collectors authorized to receive penalties when recovered.

Manner of proceeding to the condemnation of vessels and goods seized.

of by the court, execute a bond in the uſual form to the United States, for the payment of a ſum equal to the ſum at which the ſhip or veſſel, goods, wares or merchandize, ſo prayed to be delivered, are appraiſed, and moreover produce a certificate from the collector of the diſtrict wherein ſuch trial is had, and of the naval officer thereof, if any there be, that the duties on the goods, wares and merchandize, or tonnage duty on the ſhip or veſſel, ſo claimed, have been paid or ſecured in like manner, as if the goods, wares or merchandize, ſhip or veſſel had been legally entered, the court ſhall, by rule, order ſuch ſhip or veſſel, goods, wares or merchandize, to be delivered to the ſaid claimant, and the ſaid bond ſhall be lodged with the proper officer of the court, and if judgment ſhall paſs in favor of the claimant, the court ſhall cauſe the ſaid bond to be cancelled; but if judgment ſhall paſs againſt the claimant, as to the whole, or any part of ſuch ſhip or veſſel, goods, wares or merchandize, and the claimant ſhall not within twenty days thereafter pay into the court, or to the proper officer thereof, the amount of the appraiſed value of ſuch ſhip or veſſel, goods, wares or merchandize ſo condemned, with the coſts, judgment ſhall and may be granted upon the bond on motion in open court, without further delay. And when any proſecution ſhall be commenced, on account of the ſeizure of any ſhip or veſſel, goods, wares or merchandize, and judgment ſhall be given for the claimant or claimants; if it ſhall appear to the court before whom ſuch proſecution ſhall be tried, that there was a reaſonable cauſe of ſeizure, the ſaid court ſhall cauſe a proper certificate or entry to be made thereof, and in ſuch caſe the claimant or claimants ſhall not be entitled to coſts, nor ſhall the perſon who made the ſeizure, or the proſecutor, be liable to action, ſuit or judgment on account of ſuch ſeizure and proſecution: *Provided*, That the ſhip or veſſel, goods, wares or merchandize, be after judgment forthwith returned to ſuch claimant or claimants, his, her, or their agent or agents; *And provided*, That no action or proſecution ſhall be maintained in any caſe under this act, unleſs the ſame ſhall have been commenced within three years next after the penalty or forfeiture was incurred.

Limitation of ſuits under this act

Sec. 90. *And be it further enacted*, That all ſhips or veſſels, goods, wares or merchandize, which ſhall be condemned by virtue of this act, and for which bond ſhall not have been given by the claimant or claimants, agreeably to the proviſions for that purpoſe in the foregoing ſection, ſhall be ſold by the marſhall or other proper officer of the court in which condemnation ſhall be had, to the higheſt bidder, at public auction, by order of ſuch court, and at ſuch place as the court may appoint, giving at leaſt fifteen days notice (except in caſes of periſhable goods) in one or more of the public newſpapers of the place where ſuch ſale ſhall be; or if no paper is publiſhed in ſuch place, in one or more of the papers publiſhed in the neareſt place thereto; for which advertiſing, a ſum not exceeding five dollars ſhall be paid. And the amount of ſuch ſales, deducting all proper charges, ſhall be paid within ten days after ſuch ſale,

Condemned ſhips and goods to be ſold at public auction

by the perſon felling the ſame, to the clerk or other proper officer of the court directing ſuch ſale, to be by him, after deducting the charges allowed by the court, paid to the collector of the diſtrict in which ſuch ſeizure or forfeiture has taken place, as herein before directed.

Diſtribution of fines, penalties, and forfeitures.

SEC. 91. *And be it further enacted*, That all fines, penalties and forfeitures, recoverd by virtue of this act (and not otherwiſe appropriated) ſhall, after deducting all proper coſts and charges, be diſpoſed of as follows: one moiety ſhall be for the uſe of the United States, and be paid into the treaſury thereof, by the collector receiving the ſame; the other moiety ſhall be divided between, and paid in equal proportions to the collector, and naval officer of the diſtrict, and ſurveyor of the port, wherein the ſame ſhall have been incurred, or to ſuch of the ſaid officers as there may be in the ſaid diſtrict; and in diſtricts where only one of the aforeſaid officers ſhall have been eſtabliſhed, the ſaid moiety ſhall be given to ſuch officer; *Provided however*, That in all caſes where ſuch penalties, fines and forfeiture ſhall be recovered in purſuance of information given to ſuch collector, by any perſon other than the naval officer or ſurveyor of the diſtrict, the one half of ſuch moiety ſhall be given to ſuch informer, and the remainder thereof ſhall be diſpoſed of between the collector, naval officer, and ſurveyor or ſurveyors, in manner aforeſaid: *Provided alſo*, That where any fines, forfeitures, and penalties, incurred by virtue of this act, are recovered in conſequence of any information given by any officer of a revenue cutter, they ſhall, after deducting all proper coſts and charges, be diſpoſed of as follows: One fourth part ſhall be for the uſe of the United States, and paid into the treaſury thereof in manner as before directed; one fourth part for the officers of the cuſtoms, to be diſtributed as herein before ſet forth; and the remainder thereof to the officers of ſuch cutter, to be diſtributed among them agreeably to their pay: *And Provided likewiſe*, That whenever a ſeizure, condemnation and ſale of goods, wares or merchandize, ſhall take place within the United States, and the value thereof ſhall be leſs than two hundred and fifty dollars, that part of the forfeiture which accrues to the United States, or ſo much thereof as may be neceſſary, ſhall be applied to the payment of the coſt of proſecution. *And be it further provided*, That if any officer, or other perſon entitled to a part or ſhare of any of the fines, penalties, or forfeitures, incurred in virtue of this act, ſhall be neceſſary as a witneſs on the trial for ſuch fine, penalty, or forfeiture, ſuch officer or other perſon may be a witneſs upon the ſaid trial; but in ſuch caſe he ſhall not receive nor be entitled to any part or ſhare of the ſaid fine, penalty or forfeiture, and the part or ſhare to which he otherwiſe would have been entitled, ſhall revert to the United States.

Perſons entitled to a ſhare of the fines, &c. may be witneſſes, &c.

SEC. 92. *And be it further enacted*, That except into the diſtricts herein before deſcribed on the northern, north-weſtern and weſtern boundaries of the United States, adjoining to the dominions of Great Britain, in upper and lower Canada, and